## Plaintiff Jackie Fisher's

Response in Opposition to Defendants'

# Motion for Summary Judgment

EXHIBIT
5

*** REQUESTOR: TTAU518 - TAYLO	or. Theresa Heala Servi	CES ***
****************		
	OUTBASKET PRIN	
MESSAGE ID: 662025 DATE:	10/11/00 TIME: 02:34pm PR	ORITY: 000
SUBJECT: REQUEST FOR REQ DE	ELETIÓN	
	I RESULTS *** IAGED CARE	
A. JOB REQUISITION NO: JOB TITLE: POSITION NO: VACANCY LOCATION:	3484 ASSISTANT NURSE MANAGER 13786 ESTELLE UNIT	·
B. (X) SELECTION MADE ( ) NO SELECTION MADE ( ) SUBSEQUENT VACANCY	( ) NO QUALIFIED APPLICA	7TS
C. SELECTED APPLICANT: SS# (LAST 4 DIGITS ONLY): FROM (UNIT/DEPT/OUT): EFFECTIVE/HIRE DATE:	1.990 OUT	
THERESA TAYLOR, HUMAN RESOURCE	ES COORDINATOR II	
Sent to: HSMA029 SRA3984 GWR9643 POSTINGS MEDICAL	HENRY, CONNIE RADER, SANDRA WRIGHT, GAYLE <list> <li>t&gt;</li></list>	(to) (to) (to) (to) (to)

\*\*\*\*\*\*\*\*\*\*\*\*

FISHER-100881



UTMB Correctional Managed Care 264 FM 3478 Huntsville, Texas 77320-3322 Phone#: 936/291-4200 Ext 3604 Fax: 936/295-4026

August 21, 2003

Jackie Fisher 1150 FM 2296 Road Huntsville, Texas 77340

Dear Ms. Fisher,

Sincerely.

This letter is to offer you employment as a Cluster Nurse Manager at the University of Texas Medical Branch effective on a mutually agreed upon date. Your starting salary will be \$67,000 per year.

We are very excited about having you join us at the Goree/Ferguson/Huntsville Cluster team. Please indicate your agreement and understanding of this letter by signing the statement below. Please feel free to contact Sandy Rader in Human Resources or myself should you have any questions.

David Watson Senior Cluster Nurse Manager

I have received the letter confirming salary. I understand that no other promises, representations or agreements have been made by anyone with respect to the terms or conditions of my employment. I understand that this letter does no constitute an employment contract. I understand and agree that I am subject to the polices and procedures established by the Board of Regents of the university of Texas System and state laws regarding my employment.

	 	D-1-	
Signature		Date	•

# Candidate Evaluation Form Complete on All Candidates Interviewed

Candidate			Interview	Date
	Jackie Fi	isher	80	k/19/03 @ 9:00 a.m.
Requisition #		Job Title		Position #
	34547	Cluster Nurse Ma	nager	14189

Instructions: Rate the candidate using the established scale in the following categories.

I Knowlodenie	of Chanlattilliate			
	of Specialty/Field			
Question: பத்த	AT WOULD YOUR	157 ACT AS C	Tum BE?	
			ASSESS STAT	T43 OF
	117/ \$ 5700	re <u> </u>		
	Satisfactory	☐ Satisfactory	Satisfactory	☐ Excellent
Question: Ho	W DO YOU	Resolve Cu.	NFlicts	
Answer: Foci	us on soining	ARUBIEM THA	7 15 The	Fuces
		7 IN BEGINNE		
☐ Poor	Less than Satisfactory	☐ Satisfactory	More than Satisfactory	☐ Excellent
Education ar	nd Equivalencies			
Comments:	A COMPANY TO THE STREET	Herosepher I - Erderland		
Work Related	d Experience			
1. Question $\omega$	HAT CAN YOU	OFF-N YUUR S ORGANIZATIUN	STAFF NARSS	To MACCADA)
	IP BY EXAMPLE	, TMRWER The	Support The People.	
☐ Poor	☐ Less than Satisfactory	Satisfactory	More than Satisfactory	☐ Excellent
2. Question				
Answer	W. Carlotte			
☐ Poor	☐ Less than Satisfactory	☐ Satisfactory	☐ More than Satisfactory	☐ Excellent
Leadership E	xperience/Skills	STATE OF THE STATE		
1. Question	and the second second	विक्रिकेट के किया है जिसके हैं। जिसकेट के किया किया के किया किया किया किया किया किया क जिसकेट किया किया किया किया किया किया किया किया	· 100 中国的中国的国际企业的国际中国的中国的	Reference in the
Answer	The state of the s	-		
☐ Poor	☐ Less than	☐ Satisfactory	☐ More than	☐ Excellent
	Satisfactory	G Satisfactory	Satisfactory	CACC.IOTA

Revised 5-15-03 FISHER-100850

Communicati	on – Ability to express	him/hamals in a		
questions answe	red directly or does the	Csudigato maggas minnietaalt IU SU MUGi		(i.e. are
☐ Poor	Less than	☐ Satisfactory	More than	☐ Excellent
Comments	Satisfactory		Satisfactory	- CXCENEIN
Overall Asses	emont			
☐ Poor		1		
	<ul><li>Less than</li><li>Satisfactory</li></ul>	☐ Satisfactory	More than Satisfactory	☐ Excellent
Comments:				
	AS WIDE RAW	se of climic	pl BND	
	PERVISURY EXPE	avere,		
3'3	ICER TO WOR	II. EXCeller		
			7 COMMUNIC	
<u>\\</u>	RKS INDEPEND	Ty Best	CANDIDAZ	FUA
	111 PUSITION	5-		
		TRUM PR	esent 8004	
			<del>-                                    </del>	
·				
	· · · · · · · · · · · · · · · · · · ·			
-				
			<u> </u>	
enter en entre en				
			FIS	HER-100851
erviewer's Signa	ture		Date	
4/11	(())		8/19/6	3
		and the second s		

Revised 5-15-03

TO:

John Pemberton

FROM:

Sandy Rader

RE:

Jackie Fisher

Assistant Nurse Manager – Wynne Facility

John, attached is a Salary Determination Worksheet for the Cluster Nurse Manager for Goree, Huntsville and Ferguson Facilities. The selected applicant is Jackie Fisher. Ms. Fisher has been an Assistant Nurse Manager for almost 3 years with UTMB.

As you can see, the proposed salary is a 13% increase for Ms. Fisher.

Proposed Salary

\$67,000.00

Current Salary

\$59,260.00

Ms. Fisher will be over 3 facilities in as the Cluster Nurse Manager

Please call to discuss.

Thanks.

### Case 4:08-cv-01273 Document 41-2 Filed on 12/14/09 in TXSD Page 7 of 8

	S MEDICAL WHIRE HIRE	BRANCI & STATUS (	CHANGE	LVES	_	LEAVE	TMB   of absel n leave	NCE		CAR	re ~ G
итмъ рекзон но. 153966	OLIMB SEGSTET	TEON NO. 34547	V	Pi	OSITIC	.ON PK	14:	189	hole	1.	08/30/03
EMP. NAME (Last, First, MI) Fisher, Jackie			5 S \$	5	1	3 7	Ţ	9	9	O	SEX:   MALE   MI FEMALE
TYPE OF FACILITY X TDCJ _ TYC  BENEFIT PROFILETRS	_PSYCH _ <b>ERS</b>	1	F FACILIT /Fergus	71	lunt	sville	) Clus	iter			USTER Intsville
NEW HIRE - CHECK ATTACHMENTS  I Employment Application  I License Verification  II Compensation Worksheet	JOH Y		se Mani	Mo. Salary / ARNUALIZED RATE  \$67,000							
STATUS CHANGE											
TYPE OF CHANGE (please < one)  Address Change											
NAME FROM:	N	7	NA	ME TO:	`						
STREET ADDRESS	TEL. S		STI	CEET AL	XORES	5					TEL#
CITY & STATE & ZIP CODE			can	Y & 517	AYE & :	ZIP COI	<b>ж</b>				
UNIT CI PSYCH	□ HEALTH SER	WICES/MEDI	UN ICAL	cr					II PSYCH		HEALTH SERVICES/MEDICAL
200 TITLE ACT NWGE MED SALARD	5912	60.00	JOE	TITLE					KAL	ARY	
REASON FOR LEAVE OF ABSENCE	•										
									.,		<u></u>
e that a track y y galactic activism to the fourth one consideration and the considerati	and same are seen as the same	arthursten den urtu te arthure	and the second of the	**********			انتسسات			•	
SEPARATION											
RESIGNATION   Quit With Notice   Quit Without Hotice			TEF	HINAT	ION -	ELIGIB	LE FOR R	EKIRE		□ Yes	D No
EMPLOYEE ELIGIBLE FOR ACCRUED SICK LEAVE			WEEK	5			DAYS		1	HOURS	
EMPLOYEE ELIGIBLE FOR ACCRUED VACATION TIM	E	_	WEEK	5			DAYS			HOURS	
BRIEF STATEMENT REQUIRED:											
LAST DAY WORKED:			LAS	TRATE	OF PA	Y					
MAIL FINAL CHECK TO:	<b>.</b>			٠			Î	7	+T1	2	03-1695
APPROVAL SIGNATURES Supervisor	Jahr							Date		<i>2</i> /0	3
Supervisor Human Resources Representative *Effective date and last day worked should be the same	96-6							Dati Dati			
DISTRIBUTION: UTMB MINGD CARE/H.R. (REGIONAL) *	ORIGINATING UP	(A/DON		;	a:\hrfc	orms/st	chiores.v	1-E/bqu	4-96	EIG	HFR_100844

BEFFEREN PROFESS

T-183 P.DOZ/UDS 1-684

### Salary Determination Worksheet (New Hires, Promotions, Transfers) Complete on Final Candidate Only

### STEP ONE - CANDIDATE BKILL LEVEL

A. Circle the appropriate skill level, training required and Compa-Ratio for the candidate.

Moets minimum qualifications	Requires significant treating	Up to 65%
Exceeds minimum qualifications	Requires moderate training	65% to 82%
Piter direct experience, cari "hit the pround running"	Needs brief introduction to UTMB policies and procedures	92% to 104%
Possesses unique skills in an EMTU of letive sere	Needs brief introduction to UTMB policies and procedures	104% to 115%

 IN THE STATE OF	Accompany of	<b>~</b> ]				
Distance o	f a salary from th	no midpoint of th	e satary renge.	with midpoint	equel to 100	Y,

<ul> <li>Calculation: Compa Ratio = Salary / Midpoint x 100%</li> </ul>	
B. Enter the candidate's Years of Relevant Experience:	6
STEP TWO - BENEFIT REPLACEMENT PAY (BRP)	
Is the candidate BRP eligible? (Y/N)	

Note: A new hire may be eigible for Beneath Replacement Pay (BRP) If they were 1) employed by a state agency on 8/31/95 and 2) were eagible on 8/31/85 for able payment of the employed text under Govt. Gode Section 606/064 as it then existed, if the candidate was a state employee on 8/31/85 with a subsequent break in service less than 12 months from the state agency, confirm that he into in eligible for BRP. If year, the Proposed Salary = Proposed + BRP emount.

### STEP THREE - INTERNAL EQUITY SALARY REVIEW

A. Enter your artity or department average salary for the job code:	NA
---	----

B. List UTMB employees within your ontity or dept who are in same job code or with similar qualifications, abilities and years of relevant experience. Order by highest to lowest years of relevant experience.

1. 4. L-RISHT	 69,678	NU
3.		
5,		-

<sup>&</sup>quot; If the employee has multiple appointments, include the annualized salary of the current rate for the relevant appointment.

### STEP FOUR - PROPOSED SALARY

A. Enter proposed salary for candidate:

B. Does salary included BRP? (Y/N) (If yos, offer letter must state.)

6	7,	000	45
	•	150	

### STEP FIVE - JUSTIFICATION

If proposed selary is 5% higher or lower than your entity or department average salary for the job code, indicate why it is necessary to compensate this candidate differently. If the proposed salary is 5% or more higher than the average salary, corrective action must be taken on current employees to ensure internal salary equity. Disclose planned actions. Attention additional documentation as neces

Authorized By/Date

Human Resources/Date

Revised 5-15-03

<sup>\*\*</sup> If the employee receives Benefit Replacement Pay (BRP), Indicate the BRP amount. The salary comparison to the proposed candidate should be made against Current Salary Lens HRP.